
February 17, 2026

The Honorable William C. Smith, Jr.
Chair, Senate Judicial Proceedings
2 East, Miller Senate Office Building
Annapolis, MD 21401

RE: Letter of Information – Senate Bill 525 – Criminal Procedure - Expungement of Records - Good Cause

Dear Chair Smith and Committee Members:

The Maryland Department of Transportation (MDOT) takes no position on Senate Bill 525 but offers the following information for the Committee’s consideration.

SB 525 allows an individual to file for expungement of any misdemeanor or felony conviction after a certain period and certain conditions are met. It allows an individual to file a subsequent petition for expungement within three years if their petition is rejected.

The MDOT Motor Vehicle Administration (MVA) maintains driving records that can include notations of convictions for certain offenses. The maintenance and expungement of these driving records are controlled by the Transportation Article, specifically § 12-111 through 12-113, 16-117, 16-117.1, and 16-819 (for commercial drivers), and by the Public Information Act.

Moreover, the record expungement provisions of SB 525 are found in the Criminal Procedure Article, Title 10, Subtitle 1. The scope of that subtitle can be found in § 10-102(a), which provides that “[a] police record or a court record is subject to expungement under this subtitle.”

Accordingly, given the scope of Subtitle 1 noted above, and the specific expungement provisions in the Transportation Article applicable to Administration records, the MVA does not view the provisions of Senate Bill 525 as applying to records maintained by the Administration. Thus, MVA records would be unaffected by the passage of SB 525.

However, while it is the position of the MVA that the Criminal Procedure article does not apply to its records that fall under the Transportation Article, there is further language in § 10-110 which creates a potential point of conflict with earlier definitions and scopes of Title 10 which could be confusing to customers. Specifically, § 10-110 adds “or other record maintained by the State or a political subdivision of the State.” SB 525 is written broadly such that it would potentially include § 21–902 of the Transportation Article within § 10-110. The MVA must maintain appropriate record keeping for drunk driving offenses as a component of its interstate driver’s compact and for federal purposes relating to commercial driver’s licenses. It is paramount that the MVA be able to appropriately maintain these records to meet such

The Honorable William C. Smith, Jr.
Page Two

obligations, and SB 525 could potentially establish a conflict in its lack of clarity on scope of records.

The Maryland Department of Transportation respectfully requests the committee consider this information during its deliberation of Senate Bill 525.

Respectfully submitted,

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